

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1780

Introduced by Assembly Member Bonilla

February 21, 2012

An act to amend Section 65086.5 of the Government Code, relating to transportation.

LEGISLATIVE COUNSEL’S DIGEST

AB 1780, as amended, Bonilla. Department of Transportation: project studies reports.

Existing law requires the Department of Transportation, in consultation with transportation planning agencies, county transportation commissions, counties, and cities, to carry out long-term state highway planning. Existing law authorizes the department, to the extent that it does not jeopardize the delivery of projects in the adopted state transportation improvement program, to prepare a project studies report for capacity-increasing state highway projects. Existing law requires the department to review *and approve* project studies reports performed by an entity other than the department. Existing law authorizes a local entity to request the department to prepare a project studies report for a capacity-increasing state highway project that is being proposed for inclusion in a future state transportation improvement program. If the department determines that it cannot complete the report in a timely fashion, existing law authorizes the requesting entity to prepare the report. Existing law makes specified guidelines adopted by the California Transportation Commission applicable to project studies reports commenced after October 1, 1991.

~~This bill would make a technical, nonsubstantive change to these provisions~~ *revise these provisions to authorize the department to prepare project study reports or equivalent planning documents for any projects on the state highway system, limited by the resources available to the department. The bill would require the department to pay for the costs of its review and approval of project study reports or equivalent planning documents that are prepared by other entities for projects that are in an adopted regional transportation plan, a voter-approved county sales tax measure expenditure plan, or other voter-approved transportation program. In other cases, the bill would require the cost of the department's review and approval to be paid by the entity preparing the project study report or equivalent planning document. The bill would delete the provisions relating to the guidelines adopted by the California Transportation Commission and would instead require open and continuous communications between the parties during the development of project study reports or equivalent planning documents. The bill would make other related changes.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 65086.5 of the Government Code is
2 amended to read:
3 65086.5. (a) ~~To the extent that the work does not jeopardize~~
4 ~~the delivery of the projects in the adopted state transportation~~
5 ~~improvement program, the~~ *The Department of Transportation may*
6 ~~prepare a project studies report for capacity-increasing state~~
7 ~~highway projects that are not included in the state transportation~~
8 ~~improvement program~~ *study reports or equivalent planning*
9 *documents for projects on the state highway system. Preparation*
10 ~~of the project studies report~~ *study reports or equivalent planning*
11 *documents shall be limited by the resources available to the*
12 *department for that work, supplemented, as appropriate, by regional*
13 *or local resources. The A project studies study report or equivalent*
14 *planning document shall include the project-related factors of*
15 *limits, description, scope, costs, and the amount of time needed*
16 ~~for initiating construction~~ *cost estimate, schedule, and other*
17 *information at a level deemed necessary to form a sound basis for*
18 *the commitment of future state funding and project delivery.*

(b) Whenever project—studies study reports or equivalent planning documents for projects on the state highway system are performed prepared by an entity other than the Department of Transportation, the department shall review and approve the report reports or equivalent planning documents. For projects that are in an adopted regional transportation plan, a voter-approved county sales tax measure expenditure plan, or other voter-approved transportation program, the department's cost for review and approval shall be at the department's expense. For other projects, the department's cost for review and approval shall be paid by the entity preparing the report or equivalent planning document.

(c) The Department of Transportation may be requested to prepare a project—studies study report or equivalent planning document for a capacity-increasing state highway project that is being proposed for inclusion in a future state transportation improvement program or for funding from a regional or local funding source. The department shall have 30 days to determine whether it can complete the requested report or equivalent planning document in a timely fashion. If the department determines that it cannot complete the report do so in a timely fashion, the requesting entity may prepare the report or equivalent planning document at its expense. Upon submission of a project—studies study report or equivalent planning document to the department by the entity, the department shall complete its review and provide its comments to that entity within 60 days from the date of submission. The department shall complete its review and final determination of a report or equivalent planning document that has been revised to address the department's comments within 30 days following submission of the revised report or equivalent planning document.

(d) The Department of Transportation, in consultation with representatives of cities, counties, and regional transportation planning agencies, shall prepare draft guidelines for the preparation of project studies reports by all entities. The guidelines shall address the development of reliable cost estimates. The department shall submit the draft guidelines to the California Transportation Commission not later than July 1, 1991. The commission shall adopt the final guidelines not later than October 1, 1991. Guidelines adopted by the commission shall apply only to project studies reports commenced after October 1, 1991. During development of project study reports or equivalent planning documents for projects

1 *on the state highway system, there shall be open and continuous*
2 *communication between the department, the requesting entity, and*
3 *the regional transportation planning agency or county*
4 *transportation commission.*

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